

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**

Applicant(s): Nick J. Hendriksma, et al

Docket No.

89190.091203/DP-301015C2

Serial No.

10/731,391

Filing Date

December 9, 2003

Examiner

K. Riddle

Group Art Unit

3748

Invention: DEACTIVATION ROLLER HYDRAULIC VALVE LIFTER

JUN 02 2004

PATENT &amp; TRADEMARK OFFICE

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**Terminal Disclaimer To Obviate A Double  
Patenting Rejection Over A Prior Patent**

Docket No.  
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In Re Application Of: Nick J. Hendriksma, et al.

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DEACTIVATION ROLLER HYDRAULIC VALVE LIFTER

Owner of Record: Delphi Technologies, Inc.

TO THE COMMISSIONER FOR PATENTS:

The above-identified owner of record of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,668,776. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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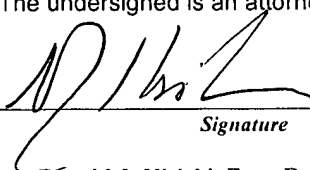
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2. ☒ The undersigned is an attorney of record.

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Dated: May 28, 2004



Signature

Ronald J. Kisicki, Esq. Reg. No.: 38,205

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- ☒ Terminal disclaimer fee under 37 C.F.R. 1.20(d) included.  
☒ PTO suggested wording for terminal disclaimer was unchanged.  
☐ Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee.